

Remarks

The Applicants respectfully request reconsideration in view of the foregoing amendments and following remarks. Claims 1-7, 10, 18-21 and 74-112 are pending. Claims 8, 9, 11-17 and 22-73 have been canceled without prejudice.

In the Office action, the Examiner allows system claims 80-88 and 99-112 but rejects method claims 1-7, 10, 18-21, 74-79 and 89-98 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. (Previously, the Examiner allowed method claims 1-7, 10, 18-21, 74-79 and 89-98 but rejected claims 80-88 and 99-112 under 35 U.S.C. § 101.) In rejecting claims 1-7, 10, 18-21, 74-79 and 89-98, the Examiner writes that these method claims “must (1) be tied to another statutory category (such as a particular apparatus), or (2) transform underlying subject matter (such as an article or material) to a different state or thing.” Office action, page 3. The Applicants respectfully disagree with the rejections of the claims under 35 U.S.C. § 101 and with the Examiner’s analysis of the claims. To expedite prosecution, however, the Applicants have amended the preamble of claim 1 to recite a “computing device that implements a video decoder.” The Applicants have further amended claim 1 so that certain acts are performed “with the computing device that implements the video decoder.” Similarly, for each of claims 18 and 89, the Applicants have amended the preamble to recite a “computing device that implements a video encoder,” and certain acts are performed “with the computing device that implements the video encoder.”

The Applicants request that the Examiner withdraw the rejections of claims 1-7, 10, 18-21, 74-79 and 89-98 under 35 U.S.C. § 101. All pending claims should be allowable. Such action is respectfully requested. The Applicants invite the Examiner to telephone the undersigned attorney at the number given below should any issues remain.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 595-5300
Facsimile: (503) 595-5301

By / Kyle B. Rinehart /
Kyle B. Rinehart
Registration No. 47,027